

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of January 23, 2009

REMARKS

The following remarks are responsive to the Office Action of January 23, 2009.

At the time of the Office Action, claims 1, 4-31 and 33-36 were pending. Claims 1 and 4-9 were rejected under 35 U.S.C. §103(a) as obvious over Ueno (U.S. Patent Application Publication No. 2002/0037747) and further in view of Tamura et al. (U.S. Patent No. 6,771,896) and Fresk et al. (U.S. Patent No. 6,671,060). Claims 10-23, 25-28 and 34-35 were rejected under 35 U.S.C. §103(a) as obvious over Ueno and further in view of Fresk et al. Claim 24 was rejected under 35 U.S.C. §103(a) as obvious over Ueno and Fresk et al., and further in view of Mitsuhashi et al. (U.S. Patent No. 6,717,693). Claims 29-30 were rejected under 35 U.S.C. §103(a) as obvious over Ueno and further in view of Tamura et al. and Mitsuhashi et al. Claim 31 was rejected under 35 U.S.C. §103(a) as obvious over Ueno, Tamura et al. and Mitsuhashi et al., and further in view of Fresk et al. Claim 33 was rejected under 35 U.S.C. §103(a) as obvious over Ueno, Tamura et al., Fresk et al., and further in view of Kameyama (U.S. Patent No. 7,158,266). Claim 36 was rejected under 35 U.S.C. §103(a) as obvious over Ueno, Tamura et al. and Mitsuhashi et al., and further in view of Kameyama. Claim 25 was rejected under 35 U.S.C. §112, second paragraph.

In response to the 35 U.S.C. §112, second paragraph, rejection of claim 25, claim 25 is being amended as indicated above to remove the lack of antecedent basis issue. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Applicants respectfully traverse the art-based rejections. However, to advance prosecution, the independent claims are being amended to recite further details pertaining to the initialization state.

The 35 U.S.C. §103(a) Rejection of Claims 1 and 4-9

In this rejection, the Examiner again admits that Ueno and Tamura fail to teach

displaying of an initialization state of the communication interface of the digital camera as recited in independent claim 1. Nevertheless, for this feature, the Examiner relies on the teachings of Fresk, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Fresk to have achieved the embodiments of the present invention as recited in these claims. Applicants respectfully disagree.

Fresk teaches an image forming system 1 comprising an image forming device 2, such as a photocopier, and an accessory device 3, such as a scanner. Although column 8, lines 5-25 may describe that information pertaining to the connection of the accessory device 3 to the image forming device 2 is displayed on a user interface 6, Applicants respectfully submit that these teachings which pertain to a photocopier and scanner have no relationship to a digital camera as recited in the claims of the present application. Accordingly, Applicants submit that one skilled in the art would have had no reasons to have modified the Ueno device, for example, in accordance with the teachings of Fresk.

Furthermore, as indicated above, the independent claims are being amended to explicitly recite that the initialization state is displayed upon connection of the digital camera to the external device via the communication interface and that the initialization state indicates that the communication interface is operable to transmit and receive the data files between the recording medium of the digital camera and the external device. Applicants respectfully submit that all of the references, including Fresk, fail to teach or suggest these specific features.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura and Fresk to have achieved the embodiment of the present invention even as recited in independent claim 1. Hence, claim 1, and all of its dependent claims, including claims 4-9, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claims 10-23 and 25-28, 34 and 35

In this rejection, the Examiner again admits that Ueno fails to teach the displaying of an initialization state of the communication interface of the digital camera as recited in independent claim 10, the displaying of an initialization state of the “means for transmitting data files” of the digital camera as recited in independent claim 14, and the method of monitoring the status of a digital camera as recited in independent claim 17 in which an initialization state is displayed when initializing a communication interface. Nevertheless, for these features, the Examiner relies on the teachings of Fresk, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Fresk to have achieved the embodiments of the present invention as recited in these claims. Applicants respectfully disagree.

As discussed above, Applicants respectfully submit that the teachings of Fresk have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Fresk to have achieved the embodiment of the present invention even as recited in independent claims 10, 14 and 17. Accordingly, claims 10, 14 and 17, and all of their dependent claims, including claims 11-13, 15, 16, 18-23 and 25-28, should be allowable.

The 35 U.S.C. §103(a) Rejection of Dependent Claim 24

In this rejection, the Examiner again admits that Ueno fails to teach the displaying of an initialization state of the communication interface as recited in independent claim 17 from which claim 24 depends. Nevertheless, for this feature, the Examiner relies on the teachings of Fresk, and contends that one skilled in the art would have found it obvious to have further

modified the Ueno apparatus in accordance with the teachings of Fresk. Furthermore, the Examiner admits that Ueno and Fresk fail to teach the displaying of the type of communication interface as recited in claim 24. Nevertheless, for this feature, the Examiner relies on the teachings of Mitsuhashi, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Fresk and Mitsuhashi to have achieved the embodiment of the present invention as recited in this claim. Applicants respectfully disagree.

As discussed above, Applicants respectfully submit that the teachings of Fresk have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Furthermore, Applicants respectfully submit that Mitsuhashi relates to a connection between a computer and a printer, not an interface for a digital camera. Moreover, Mitsuhashi fails to make up for the deficiencies in the teachings of Fresk as discussed above.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Fresk and Mitsuhashi to have achieved the embodiment of the present invention even as recited in independent claim 17. Accordingly, claim 24, which depends from claim 17, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claims 29 and 30

In this rejection, the Examiner admits that Ueno fails to teach a method for monitoring the status of a digital camera including the operation of displaying a state indicator that indicates progression of a transceiving state while transmitting or receiving a data file to or from an external device. However, for this feature, the Examiner relies on the teachings of Tamura, but admits that Tamura fails to teach displaying of the type of communication interface as recited in claim 29. Nevertheless, for this feature, the Examiner relies on the teachings of Mitsuhashi, and contends that one skilled in the art would have

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of January 23, 2009

found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Tamura and Mitsuhashi to have achieved the embodiments of the present invention as recited in these claims.

As indicated above, independent claim 29 is being amended to recite features relating to the initialization state as discussed above. Applicants respectfully submit that none of these references teaches or suggests these features.

Furthermore, as discussed in the previous Amendment, Applicants respectfully submit that the teachings of Mitsuhashi relate to a connection between a computer and a printer, not an interface for a digital camera. Therefore, Applicants submit that one skilled in the art would not have found it obvious to have modified Ueno with the unrelated teachings of Mitsuhashi.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura and Mitsuhashi to have achieved the embodiment of the present invention even as recited in independent claim 29. Accordingly, independent claim 29 and dependent claim 30, should be allowable.

The 35 U.S.C. §103(a) Rejection of Dependent Claim 31

Claim 31 depends from claim 30, which depends from independent claim 29. Because claim 31 recites features relating to initialization, the Examiner uses Fresk in combination with Ueno, Tamura and Mitsuhashi in this rejection.

However, as discussed above, Applicants respectfully submit that the teachings of Fresk have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Accordingly, for at least reasons similar to those discussed above with regard to the other

rejections, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura, Fresk and Mitsuhashi to have achieved the embodiment of the present invention even as recited in independent claim 29. Accordingly, independent claim 29, and dependent claims 30 and 31, and dependent claim 36 as discussed below, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claim 33

In this rejection, the Examiner admits that Ueno and Tamura fail to teach the features relating to displaying the initialization state of the communication interface as in the rejection of claim 1. For this feature, the Examiner relies on Fresk, but admits that Ueno, Tamura and Fresk fail to teach the series of bars as recited in this claim. However, for this feature, the Examiner relies on the teachings of Kameyama.

As discussed above with regard to claim 1 from which claim 33 depends, Applicants respectfully submit that the teachings of Fresk have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Furthermore, Applicants respectfully submit that Kameyama is being cited merely for its alleged displaying of display bars, and fails to make up for the deficiencies in the teachings of Fresk as discussed above.

Accordingly, for at least the above reasons, Applicants submit that one skilled in the art would not have found it obvious or possible to have modified the Ueno device in accordance with the teachings of Tamura, Fresk and Kameyama and to have achieved the embodiment of the present invention even as recited in independent claim 1. Accordingly, claim 33, which depends from claim 1, should be allowable.

The 35 U.S.C. §103(a) Rejection of Claim 36

In this rejection, the Examiner admits that Ueno fails to teach a method for monitoring the status of a digital camera including the operation of displaying a state indicator that indicates progression of a transceiving state while transmitting or receiving a data file to or from an external device. However, for this feature, the Examiner relies on the teachings of Tamura, but admits that Tamura fails to teach displaying of the type of communication interface as recited in claim 29. Nevertheless, for this feature, the Examiner relies on the teachings of Mitsuhashi, and contends that one skilled in the art would have found it obvious to have further modified the Ueno apparatus in accordance with the teachings of Tamura and Mitsuhashi to have achieved the embodiments of the present invention as recited in these claims. Furthermore, the Examiner admits that all of these references fail to teach the series of bars as recited in claim 36, but relies on Kameyama for this feature.

Applicants submit, however, that Kameyama is being cited merely for its alleged displaying of display bars, and thus fails to make up for the deficiencies in the teachings of Ueno, Tamura and Mitsuhashi with regard to independent claim 29 as discussed above. Furthermore, as discussed above with regard to the rejection of claim 31 which also depends from claim 29, Applicants respectfully submit that the teachings of Fresk have no relationship to the displaying that pertains to an initialization of an interface of a digital camera that occurs in the claimed embodiments of the present invention. Furthermore, Applicants respectfully submit that the references cited against claim 36 fail to make up for the deficiencies in the teachings of Fresk as discussed above.

Accordingly, for at least these reasons, claim 36, which depends from claim 29, should be allowable.

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of January 23, 2009

In view of the foregoing amendments and remarks, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/brian c. rupp/

Brian C. Rupp, Reg. No. 35,665
Joseph J. Buczynski, Reg. No. 35,084
DRINKER BIDDLE & REATH LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)
Customer No.: 08968

Date: April 13, 2009

CH01/25302764.1